

REMARKS

The Official Action dated October 2, 2006 has been received and its contents carefully noted. In view thereof, claims 1 and 2 have been amended in order to better define that which Applicant regards as the invention. As previously, claims 1-3, 5 and 6 are presently pending in the instant application.

With reference now to the Official Action and particularly page 2 thereof, the specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter. Particularly, the Examiner notes that no antecedent basis can be found in the specification for the element described as a driving mechanism as recited in independent claim 1 or a gas passage forming member also set forth in independent claim 1. In this regard, as can be seen from the foregoing amendments, independent claim 1 has been amended to recite a drive mechanism rather than a driving mechanism with proper support for the drive mechanism being set forth throughout Applicant's specification. Particularly, the drive mechanism 15 is initially introduced on page 13 of Applicant's specification and its function discussed throughout the specification.

With respect to the gas passage forming member, as suggested by the Examiner, independent claim 1 has been amended to recite a gas passage forming portion which finds support throughout Applicant's specification. Accordingly, it is respectfully submitted that Applicant's specification now properly provides support for the claimed subject matter and is in proper formal condition for allowance.

With reference now to paragraphs 4-9 of the Office Action, claims 1-3, 5 and 6 have been rejected under 35 U.S.C. §102(b) as being anticipated by either U.S. Patent No. 5,476,087 or 5,477,843, each issued to Kunimoto. Each of these rejections are respectfully

traversed in that neither of the Kunimoto patents disclose or suggest that which is presently set forth by Applicant's claimed invention.

As can be seen from the foregoing amendments, independent claim 1 has been amended to recite a toy gun comprising a frame including a barrel, a loading chamber formed in the barrel, a magazine for holding objects to be charged in the loading chamber and a trigger, a moveable member arranged with a pressure receiving portion in the frame and made moveable in a first direction toward the loading chamber and a second direction opposite to the first direction, a drive mechanism partially inserted into a cylindrical guide disposed in the frame and engaging mechanically with the moveable member, the drive mechanism being moveable in the first and second directions and operable to move the moveable member in the first direction in response to the operation of a trigger, a gas supply control engaging with the cylindrical guide and effecting a gas outlet passage to be put in a gas supply state in which gas is supplied to the gas outlet passage, by movement of the drive mechanism in the cylindrical guide responding to the operation of the trigger, a gas passage forming portion engaging mechanically with the moveable member and moveable in the first and second directions in regard to the moveable member and forming a first gas passage for guiding the gas into the loading chamber at a second gas passage for guiding the gas to the pressuring receiving portion and a moveable valve provided in the gas passage forming portion and moveable in the first and second directions, having a first state with the moveable valve in a first position in the gas passage forming portion for causing the first gas passage to be opened and the second gas passage to be closed to supply gas obtained in the outlet passage to the loading chamber through the first gas passage and a second state with the moveable valve in a second position in the gas forming portion for causing the first gas passage to be closed and the second gas passage to be opened to apply the gas obtained in the

outlet passage to the pressure receiving portion through the second gas passage, the moveable member being shifted from the first state to the second state during a period in which the gas supply controller is in the gas supply state so that the moveable member is moved in the second direction to make preparations for supply object from the magazine to the loading chamber. More particularly, the drive mechanism is recited as being partially inserted into a cylindrical guide disposed in the frame and the gas supply controller is set forth as engaging with the cylindrical guide. Consequently, the toy gun as set forth in accordance with Applicant's claimed invention comprises a driving mechanism which is partially inserted into the cylindrical guide disposed in the frame and engages mechanically with the moveable member, so as to be moveable in the first and second directions and operative to move the moveable member in the first direction in response to the operation of the trigger, and a gas supply controller which engages with the cylindrical guide and affects the gas outlet passage to be put in the gas supply state in which gas is supplied to the outlet passage, by the movement of the drive mechanism in the cylindrical guide responding to the operation of the trigger. It is respectfully submitted that neither of the patents to Kunimoto disclose or remotely suggest this feature.

Specifically, in reviewing the teachings of each of the Kunimoto references, while each of these references discloses a toy gun, none of the references disclose a toy gun having a means corresponding to the drive mechanism which is partially inserted into a cylindrical guide disposed in the frame nor a gas supply controller engaging with the cylindrical guide as is specifically recited by Applicant's claimed invention.

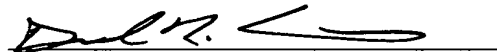
Consequently, it is respectfully submitted that with the foregoing amendments, Applicant's claimed invention as set forth in independent claim 1 as well as those claims

which depend therefrom clearly distinguishes over the teachings of each of the Kunimoto references and is in proper condition for allowance.

Therefore, in view of the foregoing it is respectfully requested that the objections and rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-3, 5 and 6 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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